

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

0449/PPDUSPCT

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/088,945

INTERNATIONAL APPLICATION NO.

PCT/GB00/03573

INTERNATIONAL FILING DATE

18 September 2000

PRIORITY DATE CLAIMED

21 September 1999

TITLE OF INVENTION GST SEQUENCES FROM SOYBEAN AND THEIR USE IN THE PRODUCTION OF
HERBICIDE RESISTANT PLANTS

APPLICANT(S) FOR DO/EO/US

ANDREWS ET AL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Power of Attorney or Authorization of Agent; Supplemental Application Data Sheet; Paper Copy of Substitute Sequence Listing; Credit Card Payment Form; and Certificate of Mailing

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
107088,945INTERNATIONAL APPLICATION NO.
PCT/GB00/03573ATTORNEY'S DOCKET NUMBER
50449/PPDUSPCT21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1040.00International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$890.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00**ENTER APPROPRIATE BASIC FEE AMOUNT =**Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	39 - 20 =	19	x \$18.00	\$ 342.00
Independent claims	4 - 3 =	1	x \$84.00	\$ 84.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$

TOTAL OF ABOVE CALCULATIONS =☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2. +**SUBTOTAL =**Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☒ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).**TOTAL NATIONAL FEE =**Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +**TOTAL FEES ENCLOSED =**09/26/2002 MKAYPAGH 00000051 10088945
01 FC:154 130.00 OP
02 FC:986 342.00 OP
03 FC:984 84.00 OPAmount to be
refunded: \$
charged: \$

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 50-1744. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Randee S. Schwartz
Syngenta Biotechnology, Inc.
3054 Cornwallis Road
Research Triangle Park, NC 27709

SIGNATURE

Randee S. Schwartz

NAME

45,085

REGISTRATION NUMBER

FILING BY "FIRST CLASS MAIL" UNDER 37 § C.F.R. 1.8

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: BOX: PCT Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

- 1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)
Concerning a filing Under 35 U.S.C. 371
- 2) Preliminary Amendment
- 3) Supplemental Application Data Sheet
- 4) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States
Designated/Elected Office (DO/EO/US)
- 5) Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United
States Designated/Elected Office (DO/EO/US)
- 6) Declaration for Utility or Design Patent Application (37 CFR 1.63)
- 7) Power of Attorney or Authorization of Agent
- 8) Recordation Form Cover Sheet (Form PTO-1619A)
- 9) Assignment of Invention
- 10) Submission of Substitute Sequence Listing Including Statement of Verification
- 11) Paper Copy of the Substitute Sequence Listing (28 pages)
- 12) Computer-Readable form of the Substitute Sequence Listing
- 13) Credit Card Payment Form
- 14) Return Postcard

Melissa Hardy
Name

Melissa Hardy
Signature

September 19, 2002
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/088,945	Syngenta Limited	PPD 50449/ UST
INTERNATIONAL APPLICATION NO.		
PCT/GB00/03573		
IA. FILING DATE	PRIORITY DATE	
09/18/2000	09/21/1999	

J Timothy Meigs Patent Department
Syngenta Biotechnology
3054 Cornwallis Road
Research Triangle Park, NC 27709

CONFIRMATION NO. 4663

371 FORMALITIES LETTER



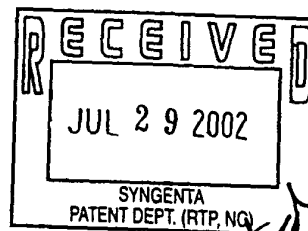
OC000000008482250

Date Mailed: 07/22/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- Additional claim fees of \$562 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$692 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$562
 - \$84 for 1 independent claims over 3.
 - \$198 for 11 total claims over 20.
 - \$280 for multiple dependant claims surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/088,945	PCT/GB00/03573	PPD 50449/ UST

1
PCT/PTO 24 SEP 2002

CASE 50449/PPDUSPCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ANDREWS et al. CONFIRMATION NO. 4663

U.S. APPLICATION NO: 10/088,945

INTERNATIONAL APPLICATION NO: PCT/GB00/03573

INTERNATIONAL FILING DATE: September 18, 2000

FOR: GST Sequences from Soybean and Their Use in the Production of
Herbicide Resistant Plants

BOX: PCT
Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

The Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated July 22, 2002 (a copy of which is enclosed) has a shortened statutory time set to expire on September 22, 2002.

In response, Applicant now submits an original fully executed Declaration of the inventors. Please charge the \$130.00 surcharge fee under 37 CFR § 1.16(e) to Applicant's credit card. A Credit Card Payment Form is enclosed for fee purposes. A Substitute Sequence Listing in paper form and computer readable form is also enclosed. The Substitute Sequence Listing corrects the defects outlined in the Notification of Missing Requirements.

In addition, Applicant submits a Supplemental Application Data Sheet to amend the initial Application Data Sheet. The Assignee Information has been added along with an additional inventor, who was mistakenly left off the initial Application Data Sheet. Applicant believes a Petition to Correct Inventorship is not required since the Declaration of the inventors was not transmitted at the time of filing.

Applicant draws the attention of the Examiner to an error made on behalf of the Applicant. Applicant mistakenly listed Syngenta Limited as the First Named Applicant in the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C.

371 filed March 21, 2002. Syngenta Limited is the Assignee not the Applicant. Applicant regrets the error and requests correction of the First Named Applicant to indicate ANDREWS, John Christopher.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR § 1.17 which may be required, or credit any overpayment, to Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,

Syngenta Biotechnology, Inc.
Patent Department
3054 Cornwallis Road
Post Office Box 12257
Research Triangle Park, NC 27709-2257

Date: 9/19/02


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